

***** DES MOINES CITY COUNCIL MEETING REPORT *****

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '07-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

May 7, 2007

Welcome Reception for New Sister City Delegation – 3:00 to 4:00 P.M.

Great Hall, City Hall, Second Floor

**Municipal Housing Agency Governing Board Meeting – 3:45 P.M.
Regular Meeting - 4:30 P.M.**

PROCLAMATIONS – 4:00 P.M.

[Introduction](#) of Italian Delegates to City
Proclamation [“Provincia di Catanzaro Days”](#)

[Bike](#) To Work Week

[Motorcycle](#) Awareness Week

INVOCATION: Rev. Jim Wallace
Central Presbyterian Church
3829 Grand Avenue

1.

[07-831](#)

1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.**

[07-832](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED. **Moved by Vlassis to adopt. Motion Carried 7-0.**

* * * * *

***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

[07-833](#)

3. APPROVING CONSENT AGENDA – items 3 through 51: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[07-834](#)

4. [Approving](#) Alcoholic Beverage License applications for the following. **Moved by Vlassis to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- | | | |
|----------------|----------------------------------|-----------------------|
| (A) | GRAND PIANO BISTRO | 506 E GRAND |
| | AVE C Liquor | |
| (B) | LA FAVORITA | 1700 E GRAND |
| | AVE C Beer | |
| (C) | LEGENDS AMERICAN GRILL | 216 COURT |
| | AVE C Liquor | |
| (D) | NEW SIAGON CAFE | 1541 6TH |
| | AVE B Beer | |
| (E) | RIVERBEND TRADING CO | 208 COURT |
| | AVE C Beer | |
| (F) | SHORTYS | 208 COURT |
| | AVE C Liquor | |
| (G) | WELLS FARGO FINANCIAL | 800 WALNUT |
| | ST C Liquor | |
| (H) | WIDE SPREAD CATERING | 75 E LOCUST (Simon |
| | Estes) B Beer | |
| (I) | ZEN RESTAURANT | 400 WALNUT |
| | ST C Liquor | |

RENEWAL APPLICATIONS

(J)	CONTINENTAL ST C Liquor	428 E LOCUST
(K)	DEPOT AVE B Beer	3000 E GRAND
(L)	GARDEN ST C Liquor	112 SE 4TH
(M)	GIT N GO STORE #3 AVE C Beer	100 WATROUS
(N)	HOTEL FORT DES MOINES ST B Wine	1000 WALNUT
(O)	HOYT SHERMAN PLACE AVE C Liquor	1501 WOODLAND
(P)	JALAPENO PETE'S CANTINA AVE C Beer/Wine	3000 E GRAND
(Q)	LOCO JOES NICKEL ARCADE RD B Beer	6550 SE BLOOMFIELD
(R)	MERCY HOSPITAL MED CNTR AVE C Liquor	1111 6TH
(S)	NOAHS ARK RESTAURANT AVE C Liquor	2400 INGERSOLL
(T)	OLYMPIC FLAME RESTAURANT AVENUE C Beer/Wine	514 E GRAND
(U)	SPAGHETTI WORKS AVE C Liquor	310 COURT
(V)	STEER AND STEIN AVE B Beer	3000 E GRAND
(W)	SUPER STOP ST C Beer	727 SE 14TH
(X)	WAVELAND CAFE AVE B Beer	4708 UNIVERSITY

[07-835](#)

5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Cownie.**

[07-836](#)

- 5-I. [City](#) Clerk to issue Coin-Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

[07-837](#)

- (A) [Evelyn](#) K. Davis Park Improvements – Receiving of bids, (5-22-

and Setting date of hearing, (6-4-07). (Construction Estimate \$375,430). ([Council Communication No. 07-270](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-838](#) (B) [Ingersoll](#) Avenue Streetscape Improvements-28th to 29th Streets – Receiving of bids, (5-22-07), and Setting date of hearing, (6-4-07). (Construction Estimate - \$499,402.80). ([Council Communication No. 07-274](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-839](#) (C) [2006](#) Pedestrian Crossing Control Improvements – Receiving bids, (5-22-07), and Setting date of hearing, (6-4-07). (Construction Estimate - \$146,370). ([Council Communication No. 07-275](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

7. Approving Professional Services Agreement for the following:

[07-840](#) (A) [Design](#) and construction phase services for Court Avenue Streetscape Rehabilitation, Brian Clark and Associates, not to exceed \$80,000. ([Council Communication No. 07-264](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-841](#) (B) [Evaluation](#), design and construction phase services for the Fleur Drive Bridge over the Raccoon River Rehabilitation, Shuck-Britts Inc., not to exceed \$188,260. ([Council Communication No. 07-265](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-842](#) 8. [Approving](#) Private Construction Contract between Eco-T Construction, LLC and Court Avenue Child Care, LLC for alley paving improvements at 1408 E. Court Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-843](#) 9. [Approving](#) permission to sublet from Legacy Construction Associates certain items on the Northwest Community Center Park Shelter. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-844](#) 10. [Accepting](#) completed construction and approving final payment for Raccoon River Construction Inc.-Southeast Ridge Trunk Sanitary Sewer – Phase 2. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[07-845](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2007-09. **Moved by Vlassis to adopt. Motion Carried 7-0.**

12. Approving the following:

[07-846](#)

(A) [Delinquent](#) sewer rental and/or solid waste/stormwater utility for April 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-847](#)

(B) [Delinquent](#) sewer rental and/or solid waste/stormwater utility for April 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[07-848](#)

13. [Approve](#) and accept real estate documents for property at 1416 22nd St for the Forest Avenue Urban Renewal Project. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-849](#)

14. [Establishing](#) fair market value for multiple properties for the E. 14th St Widening-Arthur Avenue to E. Tiffin Avenue Project. ([Council Communication No. 07-277](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-850](#)

15. [Approving](#) reduction of Subdivision Bond in amount of \$69,294 from Merchants Bonding Company (Mutual) as surety for required sidewalk and recreation trail improvements be reduced to \$17,074 as security for the satisfactory completion of remaining improvements for CARMEL ESTATES PLAT 2. ([Council Communication No. 07-261](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-851](#)

16. [Approving](#) reduction of Subdivision Bond in amount of \$19,538 from Merchants Bonding Company (Mutual) as surety for required sidewalk and recreation trail improvements be reduced to \$8,828 as security for the satisfactory completion of remaining improvements for CARMEL ESTATES PLAT 3. ([Council Communication No. 07-256](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-852](#)

17. [Approving](#) reduction of Subdivision Bond in amount of \$23,405 from Merchants Bonding Company (Mutual) as surety for required sidewalk and recreation trail improvements be reduced to \$6,055 as security for the satisfactory completion of remaining improvements for CARMEL ESTATES PLAT 5. ([Council Communication No. 07-257](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-853](#)

18. [Approving](#) reduction of PUD Restoration Bond in amount of \$189,000 from Merchants Bonding Company (Mutual) as surety for required restoration improvements be reduced to \$47,492 as security for the satisfactory completion of remaining improvements for STERLING TRACE. ([Council Communication No. 07-255](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

adopt. Motion Carried 7-0.

[07-854](#)

19. [Release](#) of PUD Restoration Bond from Continental Insurance Company in amount of \$18,826 as security for completing required restoration improvements for The Reserve Townhomes. ([Council Communication No. 07-258](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-855](#)

20. [Release](#) of Sidewalk Bond from Continental Insurance Company in amount of \$7,282 as security for completion of the required sidewalk improvements for BROOK RUN WEST. ([Council Communication No. 07-260](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-856](#)

21. [Release](#) of Cashier's Check in amount of \$2,962 from Two Rivers Bank for satisfactory completion of required sidewalk improvements for HICKORY GROVE PLAT 2. ([Council Communication No. 07-260](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-857](#)

22. [Approving](#) final subdivision plat for 2100 Echo Valley Plat 1 in vicinity south of 85th Avenue (extension of Fleur Drive) and Echo Valley Drive and north of Iowa Highway 5. ([Council Communication No. 07-260](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

23. NUMBER NOT USED.

BOARDS/COMMISSIONS/NEIGHBORHOODS

[07-858](#)

24. [Communication](#) from Susan Holderness, Chair of Historic Preservation Commission, advising of the resignation of Danelle Stamps effective immediately. **Moved by Vlassis to receive, file and accept resignation with appreciation for her many years of service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

[07-859](#)

25. [Regarding](#) request from Kintz, Inc. for approval of a preliminary subdivision plat for "Kintz Commercial Plat 1" for property at 5499 14th Street, (within the two-mile jurisdiction for extraterritorial review). **Moved by Vlassis to receive and file. Motion Carried 7-0.**

[07-860](#)

26. [Regarding](#) request from Steven Zeller and Steven Stroud, for approval of a preliminary subdivision plat for Douglas Acres Plat 9, for property at 4660 NE 31st Street, (within the two-mile jurisdiction for extraterritorial review). **Moved by Vlassis to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [07-861](#) 27. On vacation and lease of a portion of the sidewalk adjoining Bi Montage at 2716 Ingersoll, for a Sidewalk Café, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-862](#) 28. On vacation and conveyance of a portion of Jackson Avenue right of way, along with conveyance of excess City-owned property, all adjoining 214 Jackson Avenue to 214 Jackson, L.L.C., \$22,000, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-863](#) 29. On vacation and conveyance of excess Cottage Grove Avenue right of way lying east of 24th Street, between Cottage Grove Avenue and I-235, to Cottage Grove Homes, L.C., \$150, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 6-1. Council Member Kiernan declares conflict of interest and abstains from voting.**
- [07-864](#) 30. On request from Nationwide Mutual Insurance Company to rezone property at 1206 Mulberry Street from “C-3A” (Central Business District Support Commercial) to “C-3” (Central Business District Commercial), to allow construction of an eight-story off-street parking structure, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-865](#) 31. On request from Nationwide Mutual Insurance Company to rezone property at 1200 Locust, from “C-3A” (Central Business District Support Commercial) to “C-3” (Central Business District Commercial), to allow construction of a five-story 360,000 sq. ft. office building, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-866](#) 32. On approval of a Fixed Base Operator Lease and Agreement with Ellington Aviation of Des Moines, Inc. for services at the Des Moines International Airport, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [07-867](#) 33. Approving payment of \$4,389.89 to Ahlers & Cooney, P.C. for services regarding General Obligation Refunding Bonds, Taxable Series 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-868](#) 34. Approving payment of \$10,064.13 to Hall & Associates for services related to the combined sewer system and combined sewer overflow related to the NPDES Permit. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-869](#) 35. [Approving](#) payment of \$4,278.81 to Myers & Jenkins Law Firm representation in UAL Corporation, ATA Holdings Corp., Delta Lines, Inc., et.al. (Comair, Inc.) and Northwest Airlines Corporation, Bankruptcies. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-870](#) 36. [Approving](#) payments of \$5,000 to Nationwide Insurance and \$3,829.30 to Steven and Joy Laudick for property damage as the result of a sewer backup. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-871](#) 37. [Approving](#) payment of \$6,585 to Ann Winegardner for property damage as a result of sewer backup. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-872](#) 38. [Approving](#) payment of \$7,865.01 to Robbie Lydic for a work-related compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-873](#) 39. [Approving](#) waiver of subrogation rights on medical expenses for City employee, Donald L. Hansen for a motor vehicle accident in August 2002. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [07-874](#) 40. [Submitting](#) travel requests for Mark Chapman, Brian Mathis and C. Johansen. ([Council Communication No. 07-250](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

- [07-875](#) 41. [Supportive](#) Housing Program (SHP) Renewal Grant Agreement with United States Department of Housing and Urban Development (HUD). ([Council Communication No. 07-249](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-876](#) 42. [Reprogramming](#) of prior years Community Development Block Grant (CDBG) funding to balance Program Year (PY) 2007 funding shortfall. ([Council Communication No. 07-248](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [07-877](#) 43. [Proposals](#) and contracts with G & M Electric & Mechanical Contracting Inc. and Best Heating, Cooling & Electric for provision of low-income

residential furnace and water heater replacement, tune and clean, repair services. ([Council Communication No. 07-262](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-878](#)

44. [Preliminary](#) Approval of City Loan from the Des Moines Action Fund to Zen Restaurants, LLC, \$135,000. ([Council Communication No. 07-276](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

[07-879](#)

45. [Application](#) for Enterprise Zone Benefits from Stockbridge, L.P. for project in the High Street North Enterprise Zone. ([Council Communication No. 07-280](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

[07-880](#)

46. [Advertising](#) Concession Agreement with In-tar-space Services Inc. for Interspaced Airport Advertising for advertising and display services at Des Moines International Airport. ([Council Communication No. 07-281](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-881](#)

47. [One-year](#) renewal of contract for independent auditing services with McGladrey & Pullen, LLP. ([Council Communication No. 07-282](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-882](#)

48. [Annual](#) Agreement with Metro Waste Authority for operation of program for the collection and processing of yard waste material. ([Council Communication No. 07-254](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-883](#)

49. [Civil](#) Service Promotional List for Fire Captain and Entrance Lists for Park Planner, Information Technology Systems Analyst/Programmer, Information Technology Senior Web Developer and Information Technology Network Engineer. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

[07-884](#)

50. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of May 7 and May 14, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of May 7 and May 14, 2007; and to draw checks for biweekly payroll due May 11, 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[07-885](#)

51. [Amending](#) Chapter 60 of the Municipal Code regarding Housing Code. **Moved by Vlassis that this ordinance be considered and given second reading. Motion Carried 7-0.**

* * * * * END CONSENT AGENDA * * * * *

Council considered Hearing Items 54 thru 64 next

COMMUNICATIONS/REPORTS

[07-886](#) 52. From Ms. Terri Cole, 1113½ 27th Street, requesting to speak regarding local government. **Moved by Vlassis to receive and file comment. Motion Carried 7-0.**

[07-887](#) 53. From Zoning Board of Adjustment, request a refund of the Special Permit application renewal fee (\$300) for the Drake Farmer's Market and a waiver of all future application fees. **Moved by Coleman to receive, and refer to the City Manager for review and recommendation. Motion Carried 7-0.**

Council considered Items 65 thru Board of Health next

HEARINGS (OPEN AT 5:10 P.M.) (ITEMS 54 THRU 64)

[07-888](#) 54. On appeal from Shawntell Rogers, 1602 Wilson Avenue, regarding recommended denial of a Limousine License, (continued from 4-23-07). **Moved by Hensley to deny application. Motion Carried 7-0.**

55. Items regarding the north/south alley between 8th Street and 9th Street from Crocker to Center Street and a portion of 9th Street right-of-way between Crocker and Center Street: ([Council Communication No. 267](#))

[07-889](#) (A) Recommendation from Plan and Zoning Commission. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[07-890](#) (B) Hearing on vacation and conveyance to Principal Life Insurance Company, \$58,750. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-891](#) (C) First consideration of ordinance above. **Moved by Hensley that the ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-892](#) (D) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the ordinance requiring that an ordinance must be considered and voted on at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed on the agenda for the next meeting.**

upon its final passage and that the ordinance do now p
[#14,647](#). Motion Carried 7-0.

56. Items regarding 8th Street right-of-way between Center Street and F
Street: ([Council Communication No. 07-266](#))

[07-893](#) (A) [Recommendation](#) from Plan and Zoning Commission. **Moved
Hensley to receive and file. Motion Carried 7-0.**

[07-894](#) (B) [Hearing](#) on vacation and conveyance to Principal Life Insura
Company, \$108,895. **Moved by Hensley to adopt. Mot
Carried 7-0.**

[07-895](#) (C) [First](#) consideration of ordinance above. **Moved by Hensley t
this ordinance be considered and given first vote for passa
Motion Carried 7-0.**

[07-896](#) (D) [Final](#) consideration of ordinance above, (waiver requested
applicant), requires 6 votes. **Moved by Hensley that the r
requiring that an ordinance must be considered and voted on
passage at two Council meetings prior to the meeting at whic
is to be finally passed be suspended, that the ordinance be pla
upon its final passage and that the ordinance do now p
[#14,648](#). Motion Carried 7-0.**

[07-897](#) 57. [On](#) vacation and conveyance of Market Street right-of-way between
7th Street and SW 8th Street to Employers Mutual Casualty Company
\$85,608. ([Council Communication No. 07-268](#)) **Moved by Hensley
adopt. Motion Carried 7-0.**

[07-898](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley t
this ordinance be considered and given first vote for passa
Motion Carried 7-0.**

[07-899](#) (B) [Final](#) consideration of ordinance above, (waiver requested
applicant), requires 6 votes. **Moved by Hensley that the r
requiring that an ordinance must be considered and voted on
passage at two Council meetings prior to the meeting at whic
is to be finally passed be suspended, that the ordinance be pla
upon its final passage and that the ordinance do now p
[#14,649](#). Motion Carried 7-0.**

[07-900](#) 58. [On](#) rezoning of 2025 E. Grand Avenue, (Eastside Boxing Club), from
1” (Neighborhood Retail Commercial) and “R1-60” (One-Family L
Density Residential) to Ltd. “C-2” (General Retail and Highway Orien

Commercial). **Moved by Meyer to adopt and approve the rezoning subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[07-901](#)

(A) First consideration of ordinance above. **Moved by Meyer that the ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-902](#)

(B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Meyer that the ordinance requiring that an ordinance must be considered and voted on at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be passed upon its final passage and that the ordinance do now pass. Motion Carried #14,650. Motion Carried 7-0.**

[07-903](#)

59. On request from Vision Fuels Des Moines, LLC, to rezone approx. 100 acres of City-owned property generally located south of the 3801 block of Vandalia Road, from “M-1” (Light Industrial) to “PUD” (Planned Urban Development) and approval of proposed Vision Fuels PUD Conceptual Plan for the redevelopment with Light Industrial and Limited Heavy Industrial uses, including the development and production of renewable fuels such as a dry mill ethanol plant. **Moved by Meyer to continue public hearing on the proposed rezoning and “PUD” Conceptual Plan until June 4, 2007 at 5:00 P.M. Motion Carried 7-0.**

WITHDRAWN

[07-904](#)

(A) First consideration of ordinance above.

WITHDRAWN

[07-905](#)

(B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes.

[07-906](#)

60. On request from Tai Village, to rezone approx. 0.35 acres of City property in the vicinity of 4200 ML King Jr. Parkway, to “PUD” and for approval of an amended PUD Conceptual Plan entitled Tai Village at Sawyer Landing, for approx 84 acres to develop a village for the Tai Dam cultural community to include 12 units of single-family housing, a Tai cultural palace, a Tai museum, sustainable agricultural gardens, an ancestral shrine, Native American meditation area and an internal network of trails with shelters at various activity nodes. **Moved by Vlassis to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[07-907](#)

(A) First consideration of ordinance above. **Moved by Vlassis that the ordinance be considered and given first vote for passage. Motion Carried 7-0.**

Carried 7-0.

[07-908](#)

(B) [Final](#) consideration of ordinance above, (waiver requested applicant), requires 6 votes. **Moved by Vlassis that the ordinance requiring that an ordinance must be considered and voted on at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass. [#14,651](#). Motion Carried 7-0.**

[07-909](#)

61. [Resolution](#) to close the hearing on Intergovernmental 28E Operating Agreement with Edmundson Art Foundation, Inc., d/b/a Des Moines Center for “Western Gateway” Sculpture Park. **Moved by Hensley to approve. Motion Carried 7-0.**

[07-910](#)

62. [On](#) 2007 Expanded Street Resurfacing Program – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Grimes Asphalt Paving Corp., (J. M. Yonker, President), \$960,957.50. ([Council Communication No. 07-273](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

[07-911](#)

(A) [Approving](#) contract and bond, and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[07-912](#)

63. [On](#) Crivaro Park & Bates Park Playground Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Rocky Hill Construction, (Rocky Hurst, Owner), \$188,910. ([Council Communication No. 07-272](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[07-913](#)

(A) [Approving](#) contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

[07-914](#)

64. [On](#) Hickman Road Resurfacing - 30th Street to Merle Hay Road Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$1,293,958. ([Council Communication No. 07-271](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-915](#)

64. (A) [Approval](#) of contract and bond, and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 7-0.**

END HEARINGS AT 5:30 P.M.

Council considered Item 52 and 53 next

APPROVING

[07-916](#)

65. [Directing](#) advertisement for sale of Series 2007B and C General Obligation Bonds for the FY2007-08 Capital Improvement Budget, in aggregate principal amount of not to exceed \$33,460,000. (bonds will be sold on Tuesday, June 5th at 11:00 AM and a special Council meeting will be held at 4:30 PM). ([Council Communication No. 07-247](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

[07-917](#)

66. [Receive](#) and file Des Moines Southside Revitalization Plan (March 2007) and [communication](#) from South Side Revitalization Partnership regarding implementation strategy priorities. ([Council Communication No. 07-278](#)) **Moved by Meyer to approve and to refer to the City Manager for action, as appropriate. Motion Carried 7-0.**

[07-918](#)

67. [Authorization](#) for staff to negotiate for up to \$250,000 of HOME Funds for new construction of 40 units of Low Income Senior Housing, located at 1720 SW 1st Street, owned by Curly Top, LLC, (John Marston, President). ([Council Communication No. 07-279](#)) **Moved by Meyer to adopt, and make sure all other funding sources are used prior to using HOME funds. Motion Carried 7-0.**

[07-919](#)

68. [Approving](#) Tax Abatement application for additional value added improvements completed in 2006, and denying retro-active application for 2473 SW 7th Street. ([Council Communication No. 07-263](#)) **Moved by Hensley to adopt and approve the application for tax abatement, to be applied prospectively. City will send a confirmation letter to the applicant. Motion Carried 7-0.**

EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk with sponsorship of the Mayor or a City Council Member who shall deem an item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

[07-920](#)

1. [Request](#) from Council Member Christine Hensley to discuss the sidewalk in the vicinity of 56th and Walnut Hill Avenue. **Moved by Hensley to receive and file and refer to the City Manager and Public Works for review and recommendation. Motion Carried 7-0.**

[07-921](#)

2. [Approving](#) Amendment to State of Iowa Master Contract and Community Economic Betterment Account (CEBA) Funding Agreement with Alliance Technologies, Inc. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

[07-922](#)

MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

[07-923](#)

1. [Communication](#) regarding demolition cost reserve held by State Farm Insurance Companies, for the structure located on the property at 1113 Frazier Avenue. **Moved by Vlassis to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**

[07-924](#)

MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:10 P.M. Motion Carried 7-0.**

View City Council agendas online at www.dmgov.org



All-America City
1949 1976 1981 2003